



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICANT: | § | Group Art Unit: 3727 |
| Timothy Graham Brockwell | § | |
| SERIAL NO.: 10/727,858 | § | Examiner: Robin Annette Hylton |
| FILED: December 4, 2003 | § | Atty. Docket: FBD-1010USC |
| TITLE: "Sample Vial and Vial Closure Device for Use in Gas Analysis and Method of Using the Same" | § | Confirmation No.: 7915 |
| | § | |

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION DATED JULY 19, 2005

This is in response to the Office Action, dated July 19, 2005 for the above-identified patent application.

REMARKS

Claims 1-19 are pending in the application. Claims 1-19 are subject to restriction and/or election requirement.

ELECTION/RESTRICTIONS

The examiner has issued a restriction/election requirement and asserts that the application claims are directed to the following patentably distinct species of the claimed invention:

Group I drawn to a closure device having a valve and septum closing an interior of the vial as depicted in figure 1; and